



## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R5-ES-2022-N026; FXES11130500000-223-FF05E00000]

### Endangered Species; Receipt of Recovery Permit Applications

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of permit applications; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing the requested permits, we will take into consideration any information that we receive during the public comment period.

**DATES:** We must receive any written comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

**ADDRESSES:** Use one of the following methods to request documents or submit comments. Requests and comments should specify the applicant name and application number (e.g., **PER0001234**):

- *Email:* [permitsR5ES@fws.gov](mailto:permitsR5ES@fws.gov).
- *U.S. Mail:* Abby Gelb, Ecological Services, U.S. Fish and Wildlife Service, 300 Westgate Center Dr. Hadley, MA 01035.

**FOR FURTHER INFORMATION CONTACT:** Abby Gelb, 413-253-8212 (phone), or [permitsR5ES@fws.gov](mailto:permitsR5ES@fws.gov) (email). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United

States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered under the ESA.

### **Background**

With some exceptions, the ESA prohibits activities that constitute take of listed species, unless a Federal permit is issued that allows such activity. The ESA's definition of "take" includes such activities as pursuing, harassing, trapping, capturing, or collecting, in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

## Permit Applications Available for Review and Comment

We invite local, State, and Federal agencies; Tribes; and the public to comment on the following applications.

Application Number	Applicant	Species	Location	Activity	Type of Take	Permit Action
PER0039068	Kirk Environmental, LLP, Beaver, WV.	Candy darter ( <i>Etheostoma osburni</i> ).	West Virginia.	Presence/probable absence survey via electroshock.	Capture, harm.	New
PER0042004	Justin DeVault, Fairmont, WV.	Rusty patched bumble bee ( <i>Bombus affinis</i> ).	Maryland, Ohio, Pennsylvania, Virginia, West Virginia.	Presence/probable absence survey.	Capture, harass.	New
PER0042281	Ernest Smith, Worthington, WV.	Rusty patched bumble bee ( <i>Bombus affinis</i> ).	Maryland, Ohio, Pennsylvania, Virginia, West Virginia.	Presence/probable absence survey.	Capture, harass.	New

## **Public Availability of Comments**

Written comments we receive become part of the administrative record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

## **Next Steps**

If we decide to issue permits to the applicants listed in this notice, we will publish a notice in the *Federal Register*.

## **Authority**

Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

**Glenn S Smith,**

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*Ecological Services,*

*Northeast Region.*

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